



## DECISIONS, NOTICES AND ORDERS

**Friday, March 11, 2011**

The Supreme Court of Appeals of West Virginia has taken action in the following cases. This list contains only the action taken by the Court, not the content or actual date of orders or decisions.

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### MEMORANDUM DECISIONS

In accordance with Rule 21, memorandum decisions were entered in the following cases:

Bradley Lester v. Thomas L. McBride, Warden, No. 101159 (Mingo 06-C-199)  
Affirmed

State of West Virginia v. Donald Garfield Galloway, No. 101185 (Summers 08-F-35)  
Affirmed

Michael and Deborah Dulaney v. Hus Drizake, No. 101412 (Hancock 07-C-210)  
Affirmed

State of West Virginia v. Lawrence Gregory Reynolds, No. 101236 (Marion 09-F-16, 09-F-230)  
Affirmed

State of West Virginia v. Jermaine Graham, No. 101256 (Gilmer 09-F-35)  
Affirmed

### RULE 19 ARGUMENT GRANTED

The following cases will be scheduled for Rule 19 oral argument on a date to be determined by the Clerk; unless stated otherwise:

SER Galloway Group v. Hon. Warren R. McGraw, Judge, No. 11-0187 (Original Prohibition)  
Rule to Show Cause returnable April 26, 2011

Lamar Outdoor Advertising v. WV Dept. of Transportation, Division of Highways, No. 101285  
(Cabell 09-C-457)

In Re: The Child of: Sheila W. v. Robert H., No. 101147 (Boone 06-D-342)  
Argument to be set for April 26, 2011

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J.D. Hopkins and David Hopkins v. DC Chapman Ventures, Inc., No. 101530  
(Nicholas 05-C-195)

Rebecca Shanklin v. Board of Education of Kanawha County, No. 101526 (Kanawha 10-AA-25)  
(Chief Justice Workman disqualified)  
Argument on Assignment of Error No. 1 only

**RULE 20 ARGUMENT GRANTED**

The following cases will be scheduled for Rule 20 oral argument  
on a date to be determined by the Clerk:

In Re: E.B., a minor, No. 101537 (Hancock 09-P-47-M)

Kim Wolfe, Sheriff, et al. v. Nathaniel Adkins, et al., No. 101476 (Cabell 04-C-1123)

Joseph Casaccio, et al. v. Harold A. Curtiss, Executor, et al. and Hartley Trucking Co., Inc., John Tanner, et al., No. 101527 (Kanawha 05-C-1118)  
(Justice McHugh disqualified)

**ORDERS**

Orders of note were entered in the following cases:

SER Lyle C. Hatfield v. Hon. David M. Pancake, Judge, No. 11-0225 (Original Mandamus)  
Rule to Show Cause Issued (5-0)(Unless sooner mooted)

State of WV v. Jerel Addison Garner, No. 11-0275 (Post-Conviction Bail)  
Grant petition and remand for setting bail on same terms and conditions as were in place pre-trial (4-1)(Justice Davis would refuse)

SER Aron Freeland v. Hon. Russell L. Clawges, Jr., No. 11-0379 (Original Mandamus)  
Petition refused (5-0)

SER James D.W. Carr v. David Ballard, Warden, No. 10-4031 (Original Habeas)  
Petition refused (5-0)

SER Shannon Renee White v. Lori Nohe, Warden, No. 11-0104 (Original Habeas)  
Petition refused (5-0)

SER John E. McLaurin v. Hon. James C. Stucky, Judge, No. 101039 (Original Mandamus)  
Petition refused (5-0)

SER Troy Goodman Sr. v. Hon. Eric O'Briant, Judge, No. 10-4007 (Original Mandamus)  
Rule to Show Cause Issued (5-0)(Unless sooner mooted)

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SER Gregory Brent Christian v. Hon. John Cummings, Judge, No. 10-4010  
(Original Mandamus)  
Petition refused as moot

SER Dennis Gale Hubbard v. Hon. Omar Aboulhosn, Judge, No. 10-4033 (Original Mandamus)  
Petition refused (5-0)

Office of Disciplinary Counsel v. David A. Barnabei, No. 34707 (Lawyer Disciplinary)  
Motion to Reinstate license to practice law denied